

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

STANDING ROCK SIOUX TRIBE;
YANKTON SIOUX TRIBE; ROBERT
FLYING HAWK; OGLALA SIOUX
TRIBE,

Plaintiffs,

and

CHEYENNE RIVER SIOUX TRIBE,

Intervenor Plaintiff,

v.

U.S. ARMY CORPS OF ENGINEERS,

Defendant,

and

DAKOTA ACCESS, LLC,

Intervenor Defendant.

Case No. 1:16-cv-01534-JEB
[Consolidated with Case
Nos. 1:16-cv-1796 and 1:17-cv-267]

**INTERVENOR DEFENDANT DAKOTA ACCESS, LLC'S
MOTION TO EXTEND STAY OF RESOLUTION OF MOTION TO COMPEL
PROMPT COMPLETION OF ADMINISTRATIVE RECORD**

In accordance with the Court's November 13, 2018 Minute Order, Intervenor Defendant Dakota Access, LLC ("Dakota Access") respectfully moves the Court to extend the stay of resolution of Dakota Access's Motion to Compel Prompt Completion of the Administrative Record ("Motion to Compel"), D.E. 216, while Dakota Access continues to pursue the outstanding records through other means. The Minute Order requires Dakota Access to inform the Court on or before December 12, 2018 "whether it will withdraw the Motion, seek a further stay of the Motion, or ask for the Court to resolve it." Dakota Access continues to pursue many of the relevant records

through a Freedom of Information Act (“FOIA”) request to the Department of Justice, Department of the Army, Department of Interior, and Council for Environmental Quality. However, Dakota Access’s FOIA request is still in process. Accordingly, Dakota Access respectfully requests that the Court further stay consideration of its Motion to Compel to allow time for processing Dakota Access’s FOIA request.

CONCLUSION

For the foregoing reasons, Dakota Access respectfully requests that the Court grant its motion to extend the stay of resolution of its Motion to Compel.

Dated: December 12, 2018

Respectfully submitted,

/s/ William S. Scherman
William S. Scherman
David Debold
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 955-8500
wscherman@gibsondunn.com

Counsel for Dakota Access, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of December, 2018, I electronically filed the foregoing document using the CM/ECF system. Service was accomplished by the CM/ECF system.

/s/ William S. Scherman

William S. Scherman
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 955-8500
wscherman@gibsondunn.com

Counsel for Dakota Access, LLC

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**[PROPOSED] ORDER GRANTING INTERVENOR DEFENDANT
DAKOTA ACCESS, LLC'S MOTION TO EXTEND STAY OF RESOLUTION OF
MOTION TO COMPEL PROMPT COMPLETION OF ADMINISTRATIVE RECORD**

The Court orders that Intervenor Defendant Dakota Access, LLC's Motion to Extend Stay of Resolution of its Motion to Compel Prompt Completion of the Administrative Record ("Motion") is GRANTED.

Dakota Access, LLC shall update the Court by January 14, 2018 whether it will withdraw the Motion, seek a further stay of the Motion, or ask for the Court to resolve it.

SO ORDERED this __ day of ____, 2018.

The Honorable James E. Boasberg
United States District Judge